



December 3, 2018

The Honorable Steve Schewel
Mr. Tom Bonfield
101 City Hall Plaza
Durham, NC 27701

Dear Steve and Tom,

In our role as the City's partner in operating DPAC, Nederlander and PFM have endeavored to present diverse and live entertainment events, and to operate DPAC on a financially self-sustaining basis. By all accounts, this partnership between the City and us has exceeded expectations, and we feel privileged to be the City's partner in this endeavor. Recently, in early October, at the City's request, we met with GoTriangle representatives to learn more about their recent revisions to the light rail plan and the impact of those revisions on the DPAC. Prior to October 4th, GoTriangle had never sought a meeting with us and had made no effort to contact us to learn about DPAC operations. During a follow-up meeting on October 29, the GoTriangle representatives were very professional; however, what they communicated substantively was very disturbing. We have wrestled with the question of what we should do with our concerns and have concluded that, as the City's operator, we would be remiss if we did not share our concerns with our partner, the City of Durham. Indeed, we believe we have an obligation to do so. This letter represents our effort to fulfill this obligation as we see it.

This communication is appropriate for the additional reason that we feel a special responsibility to make you aware that GoTriangle admitted in this meeting that they developed these revisions without any assessment of the impact they would have on DPAC or the DBAP. None. GoTriangle said that federal regulations do not require it. GoTriangle therefore did not study it. They did not consider DPAC's almost 500,000 customers in its environmental assessment, and it similarly omitted any consideration of the more than 500,000 Durham Bulls fans. GoTriangle ignored these 1,000,000 guests who visit these two Durham-owned sports and entertainment facilities every year because, apparently, federal regulations allow them to ignore them. In ignoring these 1,000,000 visitors, however, GoTriangle also ignored the impact these 1,000,000 Bulls fans and DPAC customers have on downtown Durham businesses and particularly restaurants. We trust that you do not believe DPAC, the DBAP, the more than 1,000,000 men, women and children who attend DPAC and the DBAP, and the dozens of restaurants (and hotels) with whom DPAC has a symbiotic relationship should be ignored. We therefore offer our thoughts, our testimonial, and indeed, our opinion.

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Our opinion is that the GoTriangle Plan is a mistake and that the problems that this plan will create for the general public, the DPAC, the DBAP, and downtown Durham businesses far outweigh any benefits the GoTriangle Plan might provide. Our opinion is that the City of Durham should not support the recent changes to the GoTriangle plan that envision closing Blackwell Street and converting Pettigrew Street into a one-way, eastbound street. The City should insist that GoTriangle revert to its previous plans that apparently did not have these impacts.

1. Blackwell Street's Importance to the Vibrancy of Downtown Durham Cannot Be Overstated.

Blackwell Street is unique in its impact on downtown Durham and in its impact on the DPAC and DPAC customers. Blackwell Street is the primary north-south connection through downtown Durham -- for vehicles, pedestrians, and cyclists. This is not surprising because Blackwell Street is the only north-south street that allows cars to operate in both directions. The other north-south streets -- Mangum, Roxboro, Gregson, and Duke -- are one-way. Blackwell Street/Corcoran Street also is the primary pedestrian connection through downtown Durham that runs in a north-south direction. Mangum, Roxboro, Gregson, and Duke Streets are four-lane "highways" that are designed to let cars drive through downtown Durham at 45mph or more; these are not and never will be pedestrian-friendly unless these are not only redesigned but re-programmed. Blackwell Street is different. It is pedestrian-friendly. It connects the American Tobacco Historic District to the CCB Plaza, to dozens of businesses in the inner-city, and to the Carolina Theater, the Convention Center, and Durham Central Park. And, the City itself has long recognized its special significance. The City spent millions of dollars a few years ago to re-align Corcoran Street to strengthen this north-south connection. The City a few years later upgraded the façade of the Corcoran Street parking deck. The City also chose to continue the American Tobacco trail through downtown Durham by using this same Blackwell Street/Corcoran Street corridor. The City even relocated the Christmas parade to the Blackwell/Corcoran corridor.

The GoTriangle Plan forces the City to turn its back on this significance and this history.

2. The Blackwell Street Crossing is Vitaly Important to the DPAC Also and to Downtown Restaurants That Benefit from the DPAC.

Next to the quality of the shows and staffing, the most positive feedback we get from DPAC customers relates to ease of parking and the abundance of nearby restaurants. DPAC is important to the growth and success of the dozens of restaurants that have opened in downtown Durham. These restaurants also contribute in an important way to the "DPAC Experience." The GoTriangle Plan will turn what is today a positive for the "DPAC Experience" into a negative.



Had GoTriangle taken the time to study DPAC here is some of what it would have learned:

- 25% of DPAC's parking inventory is north of the railroad tracks. If the City deems that Corcoran and Church Streets are no longer viewed by the general public as good parking solutions, the loss of this parking inventory would be a huge problem, particularly when the Bulls and the DPAC have simultaneous events.
- Since 2008, when DPAC first opened, dozens of restaurants have opened in downtown Durham. During Broadway shows, hundreds of DPAC customers come early to have dinner first. Broadway shows occur approximately 100-120 times per year.
- The at-grade crossing at Blackwell Street is the primary connection between the DPAC, the parking north of the railroad tracks, and the inner-city restaurants. We estimate that three times more people use the at-grade intersection at Blackwell than the one at Mangum Street.

No one should seriously question whether closing Blackwell Street will have a negative effect on vehicular and pedestrian circulation. It will. Likewise, there can be no doubt that the symbiotic relationship between DPAC and restaurants will be negatively impacted. The only question is how negative the impact will be.

3. GoTriangle Offered No Reason to Believe It Will Help Devise Measures That Might Mitigate the Negative Impact of the GoTriangle Plan on Downtown Durham and the DPAC.

GoTriangle's response to virtually every concern we expressed was to shrug their shoulders and say either "no time" or "no money." As stated earlier, GoTriangle readily admitted that they spent no time evaluating the effect of their changes on DPAC or the DBAP. This means also that GoTriangle made no effort to study traffic and pedestrian patterns during DPAC events; GoTriangle has not observed even one DPAC show for that purpose.

GoTriangle did state on two occasions that they believed DPAC and Bulls customers would park at the Alston Avenue Park & Ride lot and take a train the rest of the way. GoTriangle could cite no comparable city where such a travel pattern exists. GoTriangle also could not point to any evidence that DPAC fans or Bulls fans would accept such a situation because, of course, GoTriangle made no effort to survey people, to observe their traffic patterns, or to undertake any other effort to test this theory. In fact, neither we nor Bulls management believe DPAC fans and Bulls fans, most of whom travel from outside Durham County, will use the Park & Ride at Alston Avenue. Either they will continue to downtown Durham in their own vehicle or they will stop coming.



GoTriangle in this meeting also stressed the importance of a public education effort, on-the-ground traffic management, and temporary and permanent signage modifications, both during the construction of the light rail and after it is operational. However, GoTriangle said they have no funds available either to develop that plan, to pay for the significant capital expenditures that will be required, or the significant operational costs to implement it. GoTriangle said that these measures would be Durham's responsibility.

Finally, during our discussions, GoTriangle stated that they had \$20,000,000 in their budget for modifications to downtown Durham streets and adjacent properties and suggested that most of the \$20,000,000 would be available to construct a connection for pedestrians over the railroad tracks at Blackwell Street. GoTriangle has no design for this structure, but their architect stated in the meeting with us that he believed \$20,000,000 was enough to construct a structure that would be approximately 12 feet wide. In other words, this would not be what some have called a "signature civic space"; this would be a narrow pedestrian bridge. The architect frankly did not even attempt to defend this facility as a good solution to overcome the negative result of severing the pedestrian connection at Blackwell Street. We in fact believe DPAC customers will avoid using it.

4. Converting Pettigrew Street into a One-Way, Eastbound Road Will Contribute to Traffic Congestion and Confusion During DPAC Events.

For similar reasons as those stated above for Blackwell Street, the City should also reject GoTriangle's proposal to narrow and convert Pettigrew Street into a one-way, eastbound street. Pettigrew Street is the only two-way street that runs the length of the American Tobacco district and the Government Services district in an east-west direction. Jackie Robinson Boulevard is one-way from Roxboro to Blackwell, and only then does it convert into a two-way street. As such, Pettigrew Street is a critical road for allowing vehicular circulation within this American Tobacco District and the Government Services District, particularly important during events that will attract 3,000 to 10,000+ fans.

The importance of Pettigrew Street to DPAC is self-evident to anyone who observes traffic flow before and after a DPAC event (or DBAP event). Many DPAC customers, particularly those who are first-time visitors, frequently must drive between parking decks to find parking; closing Pettigrew Street for two-way traffic will make that very difficult and very confusing.

GoTriangle's proposal to close Blackwell Street and convert Pettigrew Street into a one-way, eastbound street will lead to greater congestion for shows and ballgames. In a competitive environment in which people have a multitude of choices about how to spend their entertainment dollars, one should be concerned at what point people decide that getting to a show or a ballgame is not worth it. Further, even if people decide to attend a show, the more



time people spend time navigating congestion, the less time those same people will have for enjoying dinner before a show.

5. Mangum Street Modifications Threaten the DPAC With Flooding Unless Design Changes to the DPAC and/or the DPAC Plaza Are Implemented.

GoTriangle's plan envisions that Mangum Street just south of the railroad tracks will be raised to allow for vehicles crossing the railroad tracks to have less of a drop. The result is that Mangum Street will be at a higher elevation for a significant distance from the GoTriangle tracks to the south; GoTriangle stated that the higher elevation will continue well beyond Vivian Street. GoTriangle has not evaluated the impact of a higher Mangum Street on DPAC. During our meeting, GoTriangle's design professionals admitted that Mangum Street would be higher than the current elevation of the DPAC box office and DPAC's offices and that there is a risk of flooding of the DPAC box office and the DPAC offices.

These same issues exist on the Vivian Street side of the DPAC because Vivian Street also will need to be raised as it intersects with a higher Mangum Street. Vivian Street currently provides the short-term parking spaces that the box office requires plus important event parking for guests with disabilities.

We, along with GoTriangle, are confident that a solution to this issue can be found. However, who will be responsible for designing this? And, who will pay for it? Considering GoTriangle's approach on other issues, we are concerned whether GoTriangle can be trusted to mitigate this potential impact.

6. The City Should Insist that GoTriangle Require Its Contractor to Compress the Construction Timeline at the Blackwell Street and Mangum Street Intersections to as Few Months as Possible Even If Construction Costs Are Increased.

GoTriangle projects a 45-month construction timeline. They would not, and did not, provide any assurances that they would take measures designed to minimize the duration of construction impact at Blackwell Street and Mangum Street. GoTriangle admitted that it could. For example, they could impose upon the contractor in the construction contract a schedule that requires the contractor to work overtime and/or to minimize its construction activities to time periods designed to minimize the impact on Bulls fans and DPAC customers. GoTriangle said that any such measures would increase construction costs and that it is, in fact, attempting to reduce costs.



The City of Durham should protect its investments in DPAC and the DBAP by insisting that GoTriangle find room in its \$2.6 billion budget for these reasonable requests. In the absence of such measures, DPAC operations will be hit hard by a construction process that relies solely upon the general contractor's whims as to the conditions that will exist around the DPAC on any given day. The unpredictability as to which intersections can be used by vehicles or pedestrians during any given performance will lead to a level of confusion and congestion, and ultimately frustration, that likely will impact ticket sales. How can it not? GoTriangle's attitude will only be altered if the City insists upon it.

I am not a traffic engineer, an urban planner, or an architect. Admittedly, such professionals may be better trained to analyze this impact and it is rather unfortunate that the City, the general public, and we need to evaluate the impact of GoTriangle's plans without the benefit of such analysis. However, I have been fortunate to lead Nederlander and PFM's operation in Durham since DPAC opened. I have spent many nights watching vehicular traffic and pedestrian traffic – more nights than I care to admit (10+ years and over 200 shows per year). I therefore believe that the information I contribute for your consideration reflects what I believe makes the DPAC experience so special, and what I believe the GoTriangle plan places at extreme jeopardy.

A handwritten signature in black ink, consisting of a large, stylized 'B' followed by a series of loops and a long horizontal stroke.

Bob Klaus

General Manager - DPAC
Durham Performing Arts Center

cc:

Nick Scandalios - Nederlander
Lynn Singleton – PFM
Vernetta Alston – Durham City Council
Javiera Caballero – Durham City Council
DeDreana Freeman – Durham City Council
Mark-Anthony Middleton – Durham City council
Jillian Johnson – Mayor Pro Tempore
Charlie Reece – Durham City Council

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